IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CROSS ATLANTIC CAPITAL PARTNERS, INC.,

CIVIL ACTION

Plaintiff,

NO. 07-CV-02768-JP

٧.

JURY TRIAL DEMANDED

FACEBOOK, INC. and THEFACEBOOK, LLC,

Defendants.

<u>DECLARATION OF MARK ZUCKERBERG IN SUPPORT OF</u> <u>FACEBOOK'S MOTION FOR PROTECTIVE ORDER</u>

I, Mark Zuckerberg, declare:

- 1. I am the Chief Executive Office (CEO) and Chairman of the Board of Facebook,
 Inc. ("Facebook"), one of the defendants named in this lawsuit. I make this declaration in
 relationship to Facebook's Motion for a Protective Order. I have personal knowledge of the facts
 contained within this declaration, and if called as a witness, could testify competently to the
 matters contained in it.
- As CEO of Facebook, I am responsible for overall, high level management, direction and strategy for the company. My position at Facebook keeps me extremely busy.
 Facebook currently has more than 500 employees.
- 3. I understand that the plaintiff in this action, Cross Atlantic Capital Partners, Inc., has claimed that a particular feature of Facebook's website known as the Groups application infringes U.S. Patent No. 6,519,629. I have no personal knowledge about that patent and first became aware of its existence after this lawsuit was commenced.

- 4. My involvement in the design, development and implementation of the accused Groups application was limited to participation in high level discussions about the application, which to the best of my knowledge, took place in or around summer 2004. I was only tangentially involved in the creation of the source code for the first Groups application, which was developed in or around summer 2004. Since that time I have not been been responsible for, or directly involved in, the further development, coding, implementation or maintenance of the Groups application.
- 5. I am generally aware of Facebook's financial status and dealings, however, I am not the person most knowledgeable about the financial condition of the company or the revenue, profits and/or losses attributable to the accused product.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 3, 2008, at Palo Alto, California.

Mark Zuckerberg

CERTIFICATE OF SERVICE

This is to certify that on this 4th day of March, 2008, I caused a true and correct copy of the foregoing document: DECLARATION AND CERTIFICATION OF MARK

ZUCKERBERG IN SUPPORT OF FACEBOOK'S MOTION FOR PROTECTIVE ORDER to be served via this Court's Electronic Filing ("ECF") System, upon the following:

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Counsel for Plaintiff Cross Atlantic Capital Partners, Inc.

/s/ Heidi Keefe	
Heidi Keefe	